

Scrap Metal Sales (Gold, Silver, Platinum)



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Purpose of Presentation

- **Statewide Uniformity/DMS Direction**
- **Enforcement Consistency**
- **State/County Notification**

Statewide Survey Results

- **Counties responded (36)**
- **Recognized as weighmaster (3)**
- **Scrap metal purchase (17)**
- **Devices (Fixed 515, non-Fixed 273)**

Areas of Discussion

- **Weighmaster issues**
- **Device issues**
- **County Notification, Service Agency issues**
- **Suitability of equipment**

Weighmaster issues

- **B&P**
 - **12700 Weighmaster**
 - **12733 Scrap metal and salvage materials**
 - **12703 License, fee, penalty (including deputy)**
 - **12717 Approved tested and sealed**
 - **12713 Certificate issuance**
 - **12714 Legend and WM name**
 - **12714.5 Legible and consecutive numbering**
 - **12715 Certificate content**
 - **12716 Record and worksheets**

Section 12700

Weighmaster Defined

A weighmaster is a person who, for hire or otherwise, weighs, measures, or counts any commodity and issues a statement or memorandum of the weight, measure, or count which is used as the basis of either the purchase or sale of the commodity or charge for service.

Section 12733

SCRAP METAL AND SALVAGE MATERIALS

In all cases where scrap metal and salvage materials are purchased or sold by dealers, brokers, or commission merchants on the basis of weight or measure, the quantity of the scrap metal and salvage material shall be determined by a weighmaster, and a weighmaster certificate shall be issued to the seller and buyer. Settlement for the materials shall be made on the quantity shown thereon. If the quantity indications are readily accessible and clearly readable to both the buyer and seller, at the time of determination, a weighmaster certificate is required to be issued only when requested by the buyer or seller.

BPC 12733

SCRAP METAL AND SALVAGE MATERIALS

- **In all cases where scrap metals and salvage materials are purchased or sold by dealers, brokers, or commission merchants**
- **on the basis of weight or measure,**
- **the quantity of the scrap metal and salvage material shall be determined by a Weighmaster, and a Weighmaster Certificate shall be issued to the seller and the buyer.**
- **Settlement for the materials shall be made on the quantity shown thereon.**
- **If the quantity indications are readily accessible and clearly readable to both the buyer and the seller, at the time of determination, a Weighmaster Certificate is required to be issued only when requested by the buyer or seller.**

Section 12703

LICENSE, FEE, AND/OR PENALTY REQUIRED

Except as provided in Section 12701, no person shall perform any acts described in Section 12700, unless licensed as a weighmaster pursuant to this chapter and unless the current license fee and any penalty has been paid. The weighmaster shall forward to the department the name or names of deputy weighmasters with the appropriate fees required by Section 12704.



DEPARTMENT OF FOOD AND AGRICULTURE
DIVISION OF MEASUREMENT STANDARDS

Telephone: (916) 229-3040
FAX: (916) 229-3055
www.cdffa.ca.gov/dms
4-005 (Rev. 09/17/05)

WEIGHMASTER LICENSE APPLICATION

- ☐ NEW APPLICATION ☐ UPDATED APPLICATION FOR LICENSE NUMBER _____
☐ RENEWAL APPLICATION FOR LICENSE NUMBER _____

READ INSTRUCTION/INFORMATION SHEET CAREFULLY BEFORE YOU BEGIN

TO THE DEPARTMENT OF FOOD AND AGRICULTURE, DIVISION OF MEASUREMENT STANDARDS:
Pursuant to the provisions of Chapter 7, Division 5 of the Business and Professions Code, Applicant makes the following statements for the purpose of obtaining a Weighmaster License. Each individual has the right to review files maintained on them by the Department.

1. Owner's Name(s) (Corporation, Limited Liability Company, or Limited Partnership: show the name as it is registered with the Secretary of State at <http://info.sos.ca.gov/ist.html>.) _____
2. Weighmaster License Business Name (If DBA, you must submit a copy of your Fictitious Business Name Statement.) _____
3. Mailing Address _____ City _____ State _____ Zip Code _____
Telephone Number _____ E-mail Address _____
4. BUSINESS STRUCTURE (CHECK ONE)
☐ Corporation (Inc.) ☐ Limited Liability Company (LLC) ☐ Sole Owner
☐ Partnership ☐ Limited Partnership (LP) ☐ Other _____
4a. Corporation/LLC/LP Registration Number _____ 4b. State of Jurisdiction _____ 4c. Date Filed _____
4d. Agent for Service of Process. (Name and address of person in California authorized to accept service of process.) _____

5. Responsible Parties - Individuals, partners, members of LLC's or LP's, or Corporate Officers must complete the following:
- | Name | Title | Address (Do not use a post office box) |
|------|-------|--|
| | | |
| | | |
| | | |
| | | |

CALCULATE YOUR FEES HERE		Department Use Only for License # _____
Fixed Principal Location @ \$75:	_____	RC Number: _____
Additional Fixed Locations @ \$30:	_____	RC Date: _____
Operating at Nonfixed Locations @ \$200:	_____	Fees Due: _____
Deputy Weighmasters @ \$20:	_____	Penalty Fee: _____
Additional License Copies @ \$10:	_____	Amount Received: _____
TOTAL FEES DUE:	_____	Suspense Description: _____
SEND APPLICATION AND FEES TO: Checks Payable to: "CDFA 50.40.01" DEPARTMENT OF FOOD AND AGRICULTURE P.O. BOX 942872 SACRAMENTO, CALIFORNIA 94271-2872		Refund Amount: _____
		Refund Voucher #: _____
		Postmark Date: _____
		Processed By: _____
DO NOT SEND CASH		

Section 12704

LICENSE APPLICATION & FEES

Principal Fixed Location \$75.00

Additional Fixed Location \$30.00

Various Non-Fixed \$200.00

Each Deputy \$20.00

Section 12713

RESPONSIBILITY FOR COMPLETENESS OF CERTIFICATE...

- (a) A weighmaster is responsible for ensuring that the weighmaster certificates issued by him or her, or a deputy acting for him or her, are complete and contain all the information required by Sections 12714, 12714.5, and 12715 that is applicable to each transaction.*
- (b) It is unlawful to issue, or cause to be issued, a weighmaster certificate if the certificate does not contain all the information required by Sections 12714, 12714.5, and 12715 for the commodity weighed, measured, or counted. ...*

- Conversion Data

1234

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Buyer:

Seller:

Seller's Address:

Weighmaster - XXXXX (this is the name as it appears on the license)

sample

Weighmaster

DATE

Net weight only

By

Deputy Weighmaster

DATE _____

Write in the weight and unit of measure

Weighed at: physical address here

Description

Count

com m o d i t y

Section 12716

Records and Worksheets

- All weighmasters shall keep and preserve, as records, for a period of four years, all copies of voided certificates, records, and worksheets required by this chapter and true copies of all weighmaster certificates issued. These records shall, at all times, be open for inspection by the director.

Section 12717

“Any weighing, measuring, or counting instrument or device, as defined in § 12500, which is used by a weighmaster



and for which specifications and tolerances have been adopted by the Secretary, shall be approved, tested, and sealed in accordance with this division.”



Device issues

- **B&P**
 - **12020** Use of incorrect weight or measure or instrument
 - **12500(e)** Is the device used for commercial purposes?
 - **12500.5** Is the device approved via CTEP or NTEP?
 - Capacity, minimum division, unit(s) of measure, minimum load requirements
 - **12500.10** removal of unapproved instruments, seized or marked with a tag
 - **12501** has the device been sealed by a sealer?

County Notification Sources

- **B&P**

- **12210.5** County to collect fees
 - Test upon request and collect fees
- **12515** County notification (a) Repair, sale or installation
- **12532** What authority does a Service Agency and Agent have, and what are the requirements?

- **CCR**

- **4084** Did a Service Agency Place the device in service?
 - Remove “out-of-order”
- **4085** What is the responsibility of a Service Agency?
- **4085(2)** Did they place it in service and notify the Sealer?

County Notification



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
A. G. Eversmuth, Secretary

Division of Measurement Standards
6790 Florin Perkins Road, Suite 100
Sacramento, CA 95828-1812

County:	Inspector:
County Number:	Date:

Weighing/Location:		Corporate Location:	
Address:		Address:	
		City:	
City:	Zip Code:	State:	Zip Code:
Company Representative:	Phone No: ()	Contact Name:	Phone No: ()

Licensed Weighmaster:	Weighmaster Certificates on Site:	Applied for Weighmaster License:	Date:	Weighmaster License Number:
Yes	Yes	Yes		
No	No	No		

Device Description:
Model:
Manufacturer:
Additional Information:

Notice of Violation:	Date:	Section(s):	Section Number:
Yes		Business and Professions Code, State of California:	
No		California Code of Regulations:	
		Penal Code of California:	
		Other:	
Red Tagged:	Date:	Confiscated:	Date:
Yes		Yes	
No		No	

Sealed:	Date:	County:
Yes		Inspector:
No		

REMARKS:

Draft

Suitability of Equipment

User Requirements

- **CCR**
 - **G-U.R.1.1. Suitability**
 - Service, design, weighing capacity
 - **G-U.R.1.2. Environment**
 - Suitable for environment which it is used, wind, weather, RFI etc...
 - **G-U.R.2.1. Installation**
 - Performance not affected by foundation, supports, etc...

Weighing Device



CCR Section 2.20 Scales

- U.R.2.1. Supports** A scale that is portable that is being used on a counter, table, or on the floor shall be so positioned that it is firmly and securely supported.
- UR.4.1. Balance Condition** The device shall be accurate and maintained at zero balance condition.

4002.2 Scales (2.20)(c) Loads less than 20 scale divisions . Class III, Class III L and Unmarked Devices Used For Recycling. Except for weighments of ferrous metals, card-board, paper, rags, or plastic, Class III, Class III L and unmarked devices used in recycling shall not be used for weighing net loads less than the value of 20 scale divisions.

Suitability of Scale and Standards

The following text and tables are extracts from national and state publications and are informational and for reference

What considerations affect measurement accuracy?

Always use good weighing and measuring practices. For example, be sure to use weighing and measuring equipment according to the manufacturer's instructions and make sure the environment is suitable. Place scales and other measuring equipment (e.g., flasks and volumetric measures) on a rigid support and maintain them in a level condition if being level is a requirement to ensure accuracy.

In testing, which tolerances apply to the scale?

Do not use a scale if it has an error that exceeds the specified tolerance in any of the performance tests described in the following section.

Step:

1. Determine the total number of divisions (i.e., the minimum increment or graduation indicated by the scale) of the scale by dividing the scale's capacity by the minimum division.

Example: A scale with a capacity of 5000 g and a minimum division of 0.1 g has 50 000 divisions.

2. From Table 2-1. "Class of Scale", determine the class of the scale using the minimum scale division and the total number of scale divisions.

Example: On a scale with a minimum division of 0.1 g and 50 000 total scale divisions the appropriate class of scale is "II."

Note: If a scale is used where the number of scale divisions is between 5001 and 10 000 and the division size is 0.1 g or greater and is not marked with an accuracy Class II marking, Class III scale tolerances apply

Table 2-1. Class of Scale		
Value of Scale Division	Minimum and Total Number of Divisions	Class of Scale
1 mg to 0.05 g	At least 100, but not more than 100 000	II
0.1 g or more	More than 5000, but not more than 100 000	II
0.1 g to 2 g 0.000 2 lb to 0.005 lb 0.005 oz to 0.125 oz	More than 100, but not more than 10 000	III
5 g or more 0.01 lb or more 0.25 oz or more	More than 500, but not more than 10 000	III

On some scales, manufacturers have designated and marked the scale with a verification division (e) for testing purposes ($e = 1 \text{ g}$ and $d = 0.1 \text{ g}$). For scales marked Class II, the verification division is larger than the minimum displayed division. The minimum displayed division must be differentiated from the verification scale division by an auxiliary reading means such as a vernier, rider, or at least a significant digit that is differentiated by size, shape, or color. Where the verification division is less than or equal to the minimum division, use the verification division instead of the minimum division. Where scales are made for use with mass standards (e.g., an equal arm balance without graduations on the indicator), the smallest mass standard used for the measurement is the minimum division.

1. Determine the “Maintenance Tolerances for Class of Scale Based on Test Load in Divisions” in divisions appropriate for the test load and class of scale.

Example: Determine the number of divisions for any test load by dividing the value of the mass standard being applied by the minimum division indicated by the scale. For example, if the scale has a minimum division of 0.1 g and a 1500 g mass standard is applied, the test load is equal to 15 000 divisions ($1500/0.1$). On a Class II scale with a test load between 10 000 and 20 000 divisions, “Maintenance Tolerances for Class of Scale Based on Test Load in Divisions” indicates the tolerance is plus or minus two division.

Maintenance Tolerances for Class of Scale Based on Test Load in Divisions

Test Load in Divisions		Tolerance
Class II Scale	Class III Scale	
0 to 5000	0 to 500	Plus or Minus 1.0 Division
5001 to 20 000	501 to 2 000	Plus or Minus 2.0 Division
20 001 or more	2001 to 4000	Plus or Minus 3.0 Divisions
Not Applicable	4001 or more	Plus or Minus 5.0 Divisions

Table 6

Maintenance Tolerance

(All values in this table are in scale divisions)

Tolerance in Scale Divisions

	1	2	3	5
Class				
I	0 - 50 000	50 001 - 200 000	200 001 +	
II	0 - 5 000	5 001 - 20 000	20 001 +	
III	0 - 500	501 - 2 000	2 001 + 4 000	4001 +
IIII	0 - 50	51 - 200	201 + 400	401 +
IIIL	0 - 500	501 - 1 000	Add 1d for each additional 500d or fractional thereof	

To be updated in the near future

Suitability of Standards

- Standards used to test
 - **Class** – What is the Class of the standards used to test the device? DMS Notice M-08-02, ASTM E-617
 - **Traceability** – Do the standards have traceability, DMS-B&P Code 12303, County-B&P 12310
 - **Conversion** – Converted units for billing must be true statements of quantity. CCR APNDX-C-1

Presentation Example

Sartorius ED4202S-N

Max 4200g d=0.01g e=0.1g

CofC 09-093A1

Load Grams	Divisions	Tol	Tol mg	1/3 Tol mg	STDs class
3000 (70%)	30,000	0.3g	300	100	4
2500 (50%)	25,000	0.3g	300	100	4
850 (20%)	8,500	0.2g	200	67	5

Suitability of Verification Scale Interval

1 Troy ounce = 31.1034768 grams 1 gram = .03215075 Troy ounces

As of 16 March 2010

- Gold - \$1124 per Troy ounce or \$36.1374 per gram
- Silver - \$17.42 per Troy ounce or \$0.56007 per gram
- Platinum - \$1613 per Troy ounce or \$51.8592 per gram
- Cu - \$3.35 per Pound

CCR 2.20 Scales Table 3 states that the smallest e a Class III scale can have is equivalent to 0.1 grams, the smallest monetary value a Class III scale can display for gold, silver and platinum.

- Gold - \$3.61374 per division
- Silver - \$0.056007 per division
- Platinum - \$5.18592 per division

Class II scales smallest e can be 1 to 50 mg inclusive and equal to or greater than 100 mg providing they meet the minimum number of scale divisions in Table 3

- Gold - \$0.0361374 per 1mg division
- Silver - \$0.00056007 per 1mg division
- Platinum - \$0.0518592 per 1mg division

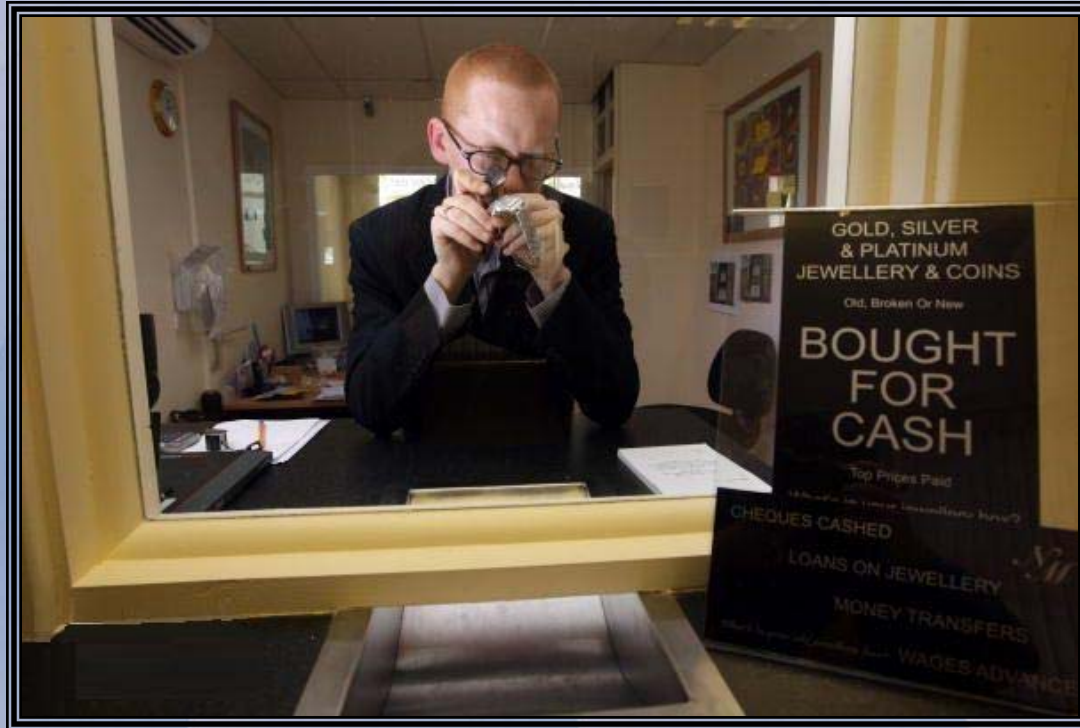
ASTM WEIGHT CLASSES

Applied Load	0	1	2	3	4	5	6	7	Applied
	Weight Tolerances in milligrams			Load					
5kg	6	12	25	50	100	250	500	1400	5kg
3kg	3.8	7.5	15	30	60	150	300	1000	3kg
2kg	2.5	5	10	20	40	100	200	750	2kg
1kg	1.3	2.5	5	10	20	50	100	470	1kg
500g	0.6	1.2	2.5	5	10	30	50	300	500g
300g	0.38	0.75	1.5	3	6	20	30	210	300g
200g	0.25	0.5	1	2	4	15	20	160	200g
100g	0.13	0.25	0.5	1	2	9	10	100	100g
50g	0.06	0.12	0.25	0.6	1.2	5.6	7	62	50g
30g	0.037	0.074	0.15	0.45	0.9	4	5	44	30g
20g	0.37	0.074	0.1	0.35	0.7	3	3	33	20g
10g	0.025	0.05	0.074	0.25	0.5	2	2	21	10g
5g	0.017	0.034	0.054	0.18	0.36	1.3	2	13	5g
3g	0.017	0.034	0.054	0.15	0.3	0.95	2	9.4	3g
2g	0.017	0.034	0.054	0.13	0.26	0.75	2	7	2g
1g	0.017	0.034	0.054	0.1	0.2	0.5	2	4.5	1g
500mg	0.005	0.01	0.025	0.08	0.16	0.38	1	3	500mg
300mg	0.005	0.01	0.025	0.07	0.14	0.3	1	2.2	300mg
200mg	0.005	0.01	0.025	0.06	0.12	0.26	1	1.8	200mg
100mg	0.005	0.01	0.025	0.05	0.1	0.2	1	1.2	100mg
50mg	0.005	0.01	0.014	0.042	0.085	0.16	0.5	0.88	50mg
30mg	0.005	0.01	0.014	0.038	0.075	0.14	0.5	0.68	30mg
20mg	0.005	0.01	0.014	0.035	0.07	0.12	0.5	0.56	20mg
10mg	0.005	0.01	0.014	0.03	0.6	0.1	0.5	0.4	10mg
5mg	0.005	0.01	0.014	0.028	0.055	0.08	0.2		5mg
3mg	0.005	0.01	0.014	0.026	0.052	0.07	0.2		3mg
2mg	0.005	0.01	0.014	0.025	0.05	0.06	0.2		2mg
1mg	0.005	0.01	0.014	0.025	0.05	0.05	0.1		1mg

References

- **Website** <http://www.metric-conversions.org/weight/pennyweight-conversion.htm>
- Pennyweight (DWT) conversion, handouts provided.
ie. 1 DWT = 1.5551 grams

- **THERE MAY BE ADDITIONAL LICENSING OR REGISTRATION REQUIREMENTS THAT A BUSINESS MUST LEGALLY COMPLY WITH.**



- **CHECK WITH YOUR LOCAL AUTHORITIES.**